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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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**THE PEOPLE OF THE STATE OF
CALIFORNIA,**

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Plaintiff,

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v.

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**UNITED STATES DEPARTMENT OF
EDUCATION, et al.,**

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Defendants.

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Case No. 17-cv-07106-SK

STATEMENT OF RECENT DECISION

Date: January 28, 2019

Time: 9:30 a.m.

Courtroom: C, 15th Floor

Judge: Hon. Sallie Kim

Under Civil Local Rule 7-3(d)(2), California submits this Statement of Recent Decision in support of its Opposition to Defendants' Motion to Dismiss First Amended Complaint. (Dkt. 43.) Attached as Exhibit A is a copy of the opinion in *California v. Azar*, 911 F.3d 558, 2018 WL 6566752 (9th Cir. 2018), which the U.S. Court of Appeals for the Ninth Circuit filed on December 13, 2018.

This recent decision is relevant because it held that California has standing to assert claims under the Administrative Procedure Act against the federal government where there was a

1 “reasonable probability” of future injury to California’s proprietary interest. *Id.* at *5-8.

2 Dated: January 11, 2018

3 Respectfully submitted,

4 /s/ Bernard A. Eskandari

5 BERNARD A. ESKANDARI

6 Supervising Deputy Attorney General

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